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1.0 INTRODUCTION

After circulation of the Draft Environmental Impact Report released for public review in May 2005, (DEIR 2005), changes were made to elements of the proposed project that required additional analysis pursuant to the California Environmental Quality Act (CEQA). Therefore, the City of Long Beach recirculated portions of DEIR 2005. For purposes of clarity and distinction, the document circulated in May 2005 will be referred to as DEIR 2005, and the document circulated for public review in June 2006 will be referred to as the Recirculated Draft EIR.

The Recirculated Draft EIR contains a revised project description section and additional environmental analysis for the proposed project. In addition, two impact sections of DEIR 2005 were revised and recirculated for public review in their entirety: the Hazards and Hazardous Materials section, and the Public Services and Utilities section. The Recirculated Draft EIR also contained new or updated information for the proposed off-site open space (Chapter 5.0) and for other CEQA topics (Chapter 6.0).

The Recirculated Draft EIR was released for public review on June 2, 2006, and circulated for a 45-day public review period. Comments received during the public review period for the Recirculated Draft EIR are responded to separately from comments received on DEIR 2005 and can be found in Volume IV of the proposed Final EIR under consideration by the City of Long Beach prior to a vote to certify the Final EIR.

As required by CEQA Guidelines Section 15087, a public Notice of Availability (NOA) of the Recirculated Draft EIR for the Home Depot project was filed with the Los Angeles County Clerk on June 2, 2006. The NOA was also mailed to all of the agencies and persons requesting such notification. The Recirculated Draft EIR was circulated for public review for a period of 45 days from June 2, 2006, to July 17, 2006. Copies of the Recirculated Draft EIR were mailed to responsible agencies and other agencies and were made available for public review at the following locations:

- City of Long Beach Planning and Building Department
- Long Beach Main Library, 101 Pacific Avenue
- Bay Shore Neighborhood Library, 195 Bay Shore
- El Dorado Neighborhood Library, 2900 Studebaker Road
- Brewitt Neighborhood Library, 4036 E. Anaheim Street

The DEIR was also published on the City of Long Beach's Web site at:
www.longbeach.gov/plan/pb/epd/er.asp.

A Notice of Completion of the DEIR was filed with the State Office of Planning and Research on June 2, 2006.

A total of 88 comment letters was received by the City of Long Beach. Comments were received from public agencies and members of the public. Comments that address environmental issues are thoroughly responded to in this document. In some cases, minor corrections to information in the Recirculated Draft EIR are required, or additional information is provided for clarification purposes. However, some of the comments do not address the adequacy or completeness of the Recirculated Draft EIR, do not raise environmental issues, or request the incorporation of additional information not relevant to environmental issues. While such comments do not require a response, pursuant to Section 15088(a) of the CEQA Guidelines, a good faith effort has been made to respond to all comments received.

Section 15088 of the State CEQA Guidelines, Evaluation of and Response to Comments, states:

- a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the DEIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.
- b) The lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report.
- c) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.
- d) The response to comments may take the form of a revision to the DEIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the DEIR, the lead agency should either:
 1. Revise the text in the body of the EIR; or
 2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this Response to Comments document clarifies, amplifies, or makes minor modifications to the Recirculated Draft EIR. No significant changes have been made to the information contained in the Recirculated Draft EIR as a result of the responses to comments, and no significant new information has been added. Therefore, this Response to Comments document is being prepared as a separate section of the EIR and is included as part of the proposed Final EIR under consideration by the City of Long Beach prior to a vote to certify the Final EIR.

FORMAT OF RESPONSES TO COMMENTS

Responses to each of the comment letters are provided in Chapter 3.0 of this document. Individual points within each letter are numbered along the right-hand margins of each letter. Comments not requiring any response are not numbered. The City's responses to each comment letter immediately follow each letter and are referenced by the index numbers in the margins. In some cases, the City's

response refers to a specific common response (responses that address topics that were often repeated throughout the comment letters). The common responses are provided in Chapter 2.0 of this document.

The format of the responses provided in subsequent chapters is based on a unique letter and number code for each comment. The number at the end of the code refers to a specific comment within the individual letter. Therefore, each comment has a unique code assignment. For example, S-1-1 is the first comment in letter S-1. "S" represents a State agency, "1" refers to the first State agency letter and the other "1" refers to the first comment. "L" is for Local agencies, "R" is for regional agencies, "O" is for organizations, and "P" is for public comments.

Comments that were corrections to information contained in Recirculated Draft EIR are identified as errata and are listed separately in the Errata section contained in this volume (Volume IV) of the proposed Final EIR.

INDEX OF COMMENTS RECEIVED

The following is an index list of the agencies, groups, and persons who commented on the Recirculated Draft EIR prior to the close of the public comment period or immediately thereafter. Each comment letter received is indexed with a number below.

Letter	Name	Date
	State Agency Comments	
R-S-1	State Clearinghouse	July 18, 2006
	Local Agency Comments	
R-L-1	Long Beach Water District	July 3, 2006
R-L-2	Long Beach Fire Department	July 15, 2006
R-L-3	Long Beach Unified School District	July 12, 2006
R-L-4	Long Beach Transit	July 13, 2006
	Regional Agency Comments	
R-R-1	South Coast Air Quality Management District	July 14, 2006
R-R-2	County Sanitation Districts of Los Angeles	June 12, 2006
R-R-3	Southern California Association Governments	June 29, 2006
	Organization Comments	
R-O-1	Weston, Benshoof, Rochefort, Rubalcava, & MacCuish LLP	July 17, 2006
R-O-2	University Park Estates Neighborhood Association, Tom Marchese and Doug Drummond	July 16, 2006
R-O-3	California Earth Corps	July 17, 2006
R-O-4	AES Alamitos LLC	July 17, 2006
	Public Comments	
R-P-1	Clawson, Deborah	July 17, 2006
R-P-2	Martin, Kerry	July 17, 2006
R-P-3	Jameson, Russ and Paula	July 3, 2006

Letter	Name	Date
R-P-4	Mills, Donald	July 14, 2006
R-P-5	McCord, Angela	July 9, 2006
R-P-6	Gilbert, Debra	July 17, 2006
R-P-7	Townsend, Susan	June 26, 2006
R-P-8	Carr, Ardoth	June 20, 2006
R-P-9	Carlson, Helen	June 17, 2006
R-P-10	Wall, Steve	July 5, 2006
R-P-11	LoGrande, Mike	July 7, 2006
R-P-12	Schmeling, Gina	July 6, 2006
R-P-13	Lamonte, Barrie	June 30, 2006
R-P-14	Mitchell, James	June 29, 2006
R-P-15	Lemmerman, Pat	June 9, 2006
R-P-16	Bruel, Mike and Karen	June 14, 2006
R-P-17	Pickering, Michael	June 2, 2006
R-P-18	Mariano, Myrrha	June 3, 2006
R-P-19	Kotos, Barbara	June 12, 2006
R-P-20	Fruehan, Annette	June 13, 2006
R-P-21	Tuck, Pam and Ed	June 9, 2006
R-P-22	Anger, Scott	June 9, 2006
R-P-23	Haskett, Barbara	June 10, 2006
R-P-24	Traver, Alix	June 2, 2006
R-P-25	Dahl, Janice	July 14, 2006
R-P-26	Robertson, David and Suttie, Mary	July 12, 2006
R-P-27	Perea, Noel	July 13, 2006
R-P-28	Brown, Paul	July 7, 2006
R-P-29	Knopf, Trevor	July 7, 2006
R-P-30	Dampf, Susan	July 13, 2006
R-P-32	McCord, Steven	July 14, 2006
R-P-33	DePina, David	July 14, 2006
R-P-34	Hales, Jon	July 13, 2006
R-P-35	Mashburn, Jerry	July 15, 2006
R-P-36	Lockhart, Thomas	July 15, 2006
R-P-37	Pugh, Mike	July 15, 2006
R-P-38	Tinsley, Donald	July 15, 2006
R-P-39	Ragland, Robert	July 15, 2006
R-P-40	Wyatt, Maria	July 15, 2006
R-P-41	Nottage, Keith	July 15, 2006
R-P-42	Keating, Gay	July 16, 2006
R-P-43	Denison, James and Lou Ann	July 16, 2006
R-P-44	Legeman, Charlie	July 16, 2006
R-P-45	Rinaldi, Lisa	July 16, 2006

Letter	Name	Date
R-P-46	Richardson, Dean	July 16, 2006
R-P-47	Malone, Catherine	July 16, 2006
R-P-48	Steele, Reece	July 16, 2006
R-P-49	O'Donnell, John and Carol	July 16, 2006
R-P-50	Gergens, Sig and Helga	July 16, 2006
R-P-51	Jaskulski, Alfred	July 16, 2006
R-P-52	Cormier, Roger	July 16, 2006
R-P-52B	Cormier, Roger	July 15, 2006
R-P-53	Mashburn, Mary Beth	July 16, 2006
R-P-54	Davidson, Sandy	July 17, 2006
R-P-55	Altman, Heather	July 16, 2006
R-P-56	Akers, Reyna	July 17, 2006
R-P-57	Buika, Paul	July 18, 2006
R-P-59	Trent, Ric	July 17, 2006
R-P-60	Christensen, Anna	July 17, 2006
R-P-61	Jahn, DiAnne	July 18, 2006
R-P-62	Cantrell, Ann	July 16, 2006
R-P-63	Rosas, Robert	July 17, 2006
R-P-64	Crawford, William and Kathleen	July 17, 2006
R-P-65	Golden, Mary Ann	July 17, 2006
R-P-66	Freeth, Belinda	July 17, 2006
R-P-67	Nunley, Mike	July 17, 2006
R-P-68	McEveety, Jan	July 17, 2006
R-P-69	Novin, Abba	July 17, 2006
R-P-70	Jordan, Douglas	July 16, 2006
R-P-71	Hodges, MA and Way, E. Lees	July 17, 2006
R-P-72	Reagan, Judy	July 17, 2006
R-P-74	Gordon, Michael	June 7, 2006
R-P-75	Aley, Kerrie	June 12, 2006
R-P-76	Goodhue, Lawrence	June 9, 2006
R-P-77	Planning Commission Study Session	July 6, 2006
R-P-78	Husak, Tish	July 2, 2006

2.0 COMMON RESPONSES

Responses are provided for all comments received on the Draft Environmental Impact Report dated April 2005 (DEIR 2005) (Volume III) and for all comments received on the Recirculated Draft EIR dated June 2006 (Volume IV). In some cases the reader is referred to a common response, which addresses topics that were often repeated throughout the comment letters. These common responses are provided below.

COMMON RESPONSE 1: LOYNES DRIVE

Loynes Drive is a four-lane east-west roadway located west of the project site. This roadway terminates at Studebaker Road, at the project site. Loynes Drive is classified as a Collector Street in the Transportation Element of the City's General Plan. The Traffic Impact Analysis (TIA) for DEIR 2005 studied the following intersections to evaluate them in relation to CEQA thresholds:

- **Bixby Village Road/Loynes Drive Intersection.** Currently, existing weekday and weekend level of service (LOS) is LOS A at the Bixby Village Road/Loynes Drive intersection, the best operating service level. The TIA evaluated the 2006 existing plus project weekday and weekend intersection conditions, and found that this intersection continued to operate at LOS A. LOS analysis includes an analysis of intersection capacity and any increase in traffic delay.
- **Studebaker Road/Loynes Drive Intersection.** While the LOS at the Studebaker Road/Loynes Drive intersection was somewhat reduced by the project, the TIA found that there was no weekend midday peak-hour significant impact at this intersection because project mitigation measures are included to reduce the impact to a less than significant level. The required improvements include:
 - Provide one westbound left-turn lane, one westbound through lane, and one westbound right-turn lane at the project driveway at the Studebaker Road/Loynes Drive intersection and two receiving lanes into the project site. In addition, a northbound right-turn lane and a southbound left-turn lane shall be constructed. The inside eastbound right-turn lane shall be converted to an eastbound through lane for vehicles entering the project site.
 - Change the traffic signal phasing for the northbound and southbound left-turn movements at Studebaker Road/Loynes Drive to protected-permissive turn movements.
 - Restripe northbound and southbound Studebaker Road (36 feet wide) between 2nd Street and the SR-22 eastbound ramps to provide three (12-foot-wide) through lanes. The third northbound through lane will terminate at the northbound right-turn lane at the SR-22 eastbound ramps. The third southbound through lane will terminate at the 2nd Street intersection. Any encroachment into State right-of-way will require review and approval by the California Department of Transportation (Caltrans).

The TIA indicates that traffic at both of these intersections will not exceed the City's thresholds of significance.

Loynes Drive is classified as a Collector Street which has a maximum carrying capacity of 20,000 vehicles per day. The TIA projected that the proposed project would create an additional 1,807 daily trips on Loynes Drive. Currently, Loynes Drive carries approximately 8408 daily trips (per the City's Transportation Bureau). Existing conditions with the proposed project added are 10,215 average daily trips. This is well below a total carrying capacity of 20,000, and is not considered a significant impact under CEQA thresholds.

The section of Loynes Drive between Bixby Village Drive is characterized by a "rolling-hill-like" topography as a result of its location on a former landfill and the release of methane gas. The Loynes Drive/Bixby Village Drive intersection experienced two accidents from 2000 to 2005. The Loynes Drive/PCH intersection averages less than six accidents per year. These intersections are considered to be performing well in comparison to other controlled intersections in the City.

In reviewing the specific accident records for Loynes Drive between Studebaker Road and PCH, this 0.82-mile segment experienced 46 mid-block collisions in the last 10 years. Over 70 percent of the accidents over this 10-year period were classified as single car "Hit Object" type collisions, with "Unsafe Speed" determined to be the primary collision factor.

It is clear from the above statistics that the intersections along Loynes Drive have an excellent safety performance history. However, the segment of Loynes Drive between Palo Verde Avenue and Bixby Village Drive does experience a higher than usual incidence of single-car accidents. However, this is considered a geographically isolated condition and primarily reflects single car accidents which may be the result of excessive speed or other driver-controlled conditions. Therefore, the existing roadway conditions, and potential project contribution to existing conditions, are not considered to be significantly adverse as defined by CEQA.

Public comments at two Planning Commission study sessions in May 2005 and July 2006 and general public comments to both DEIR 2005 and the Recirculated Draft EIR also express concern regarding the nature and safety of Loynes Drive. The care and maintenance of Loynes Drive is an issue that is addressed in conjunction with the entitlement process.

COMMON RESPONSE 2: SEAPORT MARINA

The cumulative impact analysis conducted for the Draft EIR and Recirculated Draft EIR was conducted consistent with Section 15130 of the CEQA Guidelines and evaluated all projects that the City as Lead Agency deemed appropriate for consideration as cumulative projects. Guided by the standards of practicality and reasonableness, the City made determinations as to which projects were to be evaluated in the Draft EIR and Draft Recirculated Draft EIR.

The application for the Home Depot project was submitted on August 18, 2003, and the Notice of Preparation (NOP) for the proposed Home Depot project was issued on March 19, 2004. The complete application for Conceptual Site Plan Review for the Seaport Marina project was submitted on July 19, 2005, and the NOP for the proposed Seaport Marina project was issued on May 16, 2005.

The State CEQA Guidelines Section 15130 (b)(1)(A) states that a Lead Agency must include a "list of past, present, and probably future projects producing related or cumulative impacts, including, if

necessary, those projects outside the control of the agency.” At the time preparation of the Traffic Impact Analysis (TIA) and DEIR 2005 began, the City identified two approved/pending projects (cumulative) within the project area: (1) 120 Studebaker Road, and (2) the Boeing Specific Plan. At this time, the proposed Seaport Marina project was not considered to be a probable or reasonably foreseeable project given that: (1) no project application had been submitted to the City for that project, (2) the project requires a General Plan amendment, and (3) neither residential nor retail development is currently permitted on the proposed Seaport Marina project site.

By the time City made the decision to recirculate portions of DEIR 2005, an application had been submitted for the Seaport Marina project and the NOP for the proposed Seaport Marina project was issued on May 16, 2005. Therefore, despite the land use permits required for implementation, the City determined that it was reasonable to include cumulative analysis of potential traffic, air quality, and noise impacts of the proposed Seaport Marina and Home Depot projects. Analysis of cumulative impacts was limited to these three topics because the project and cumulative impacts associated with the Home Depot project can be mitigated to a less than significant level for all other topics (with the exception of cumulative solid waste disposal capacity in Los Angeles County).

At the direction of City staff, LSA prepared a technical memorandum to address the traffic impacts with the addition of the Seaport Marina project to the cumulative condition analyzed in the Home Depot TIA. This analysis is included in Appendix A of the Recirculated Draft EIR.

The addition of the Seaport Marina project traffic would contribute to a new deficient location in the cumulative baseline conditions at the intersection of Pacific Coast Highway (PCH)/Loynes Drive. This intersection was forecasted to operate at Level of Service (LOS) D or better in the previous Home Depot TIA. The addition of the Seaport Marina project decreased the LOS at this intersection to LOS E or worse. However, the addition of Home Depot traffic to this location will not trigger the City’s significance criteria (i.e., an ICU increase of less than 0.020).

With the addition of Seaport Marina project traffic, a new significant impact was identified at the Studebaker Road/SR-22 eastbound ramps (LOS D to LOS E). No feasible improvements at this location have been identified that would mitigate the project’s impact; as a result, the project would contribute a significant unavoidable impact at this intersection.

The updated cumulative traffic analysis was utilized to update the cumulative air quality information as well (See Section 6.0 in the Recirculated Draft EIR). Specifically, the carbon monoxide (CO) hotspot analysis was updated to reflect the revised cumulative traffic analysis, and the results are summarized in Tables 6.2.A and 6.2.B of the Recirculated Draft EIR. While the CO concentrations increase slightly for most intersections analyzed with the inclusion of Seaport Marina traffic, none increase sufficiently to cause an exceedance of an ambient air quality standard (AAQS). Therefore, there is no change to significance conclusions as presented in DEIR 2005.

The operational noise analysis was updated to reflect the revised cumulative traffic analysis. A project will normally have a significant effect on the environment related to noise if it will substantially increase the ambient noise levels for adjoining areas or conflict with the adopted environmental plans and goals of the community in which it is located. The applicable noise standards governing the project site are the criteria in the City’s Noise Element of the General Plan and Municipal Code, as included in DEIR 2005. While the noise levels increase slightly for most intersections analyzed with

the inclusion of Seaport Marina traffic, none increase sufficiently to cause a new exceedance of the noise thresholds of significance. Therefore, there was no change to significance conclusions, and traffic noise impacts for weekday and weekend conditions remain less than significant.

COMMON RESPONSE 3: CUT-THROUGH TRAFFIC

Several comments suggested that the proposed project would result in an increase in “cut-through” traffic in University Park Estates, with potential increases in safety risks. This issue is addressed in Section 4.11 of DEIR 2005. Specifically, DEIR 2005 identified a concern expressed by local residents that project traffic would be distributed along the residential streets within the University Park Estates neighborhood located west of the project site as a means to access the property. The concern is that with implementation of the proposed project, drivers could potentially “cut through” the neighborhood from 7th Street to access the project site at Studebaker Road and Loynes Drive. Based on this concern, a qualitative analysis was performed to address this issue as it pertains to the residential streets in University Park Estates.

Access to the University Park Estates neighborhood along 7th Street is provided via a signalized intersection at East Campus Road/Margo Avenue and a right-turn in/out access at Silvera Avenue. Vehicles traveling eastbound along 7th Street could potentially cut through the neighborhood via East Campus Road/Margo Avenue, travel through Margo Avenue, make a left turn onto East Vista Street followed by a left turn onto Loynes Drive, and continue east to the project driveway at Studebaker Road. Another potential cut-through route could be via the right-turn in/out access at Silvera Avenue, continuing south to East Vista Street, followed by a left turn at Loynes Drive and continuing east to the project driveway at Studebaker Road. In addition, traffic originating from the project site with a destination to 7th Street has the potential to cut through the neighborhood along East Vista Street and Margo Avenue, continuing to the traffic signal at 7th Street. However, traffic traveling along Silvera Avenue cannot turn left onto 7th Street. Therefore, this route provides inbound access only.

Although it has been suggested that project traffic could potentially cut through this neighborhood, it does not appear to be a reasonable or faster route to the project site. Vehicles traveling through the neighborhood via Margo Avenue would be traveling at a typical speed of 25 miles per hour (mph) and would have to stop at approximately five stop-controlled intersections before turning onto Loynes Drive. In addition, vehicles traveling through the neighborhood via Silvera Avenue would have to stop at four stop-controlled intersections before turning onto Loynes Drive. Based on the number of stop-controlled intersections and the typical speed limit for residential areas (25 mph), the cut-through route would not be an advantageous route to the project site as compared to the primary access routes described below.

Project traffic destined eastbound via 7th Street would have two direct routes along major arterial roadways to the project site. Vehicles would be able to access the project site along 7th Street via PCH and Loynes Drive or via Studebaker Road to the project driveway at Loynes Drive.

Accessing the project site via 7th Street and Studebaker Road would provide a less conflicting route with fewer stop-controlled intersections as well as higher speed limits along the major roadways. These major arterials are designed to accommodate heavy traffic flows and high speeds, as opposed to the limited capacity and stop-controlled intersections along the neighborhood (local) streets. Therefore, traffic destined for the project site would likely travel along the less conflicting routes at

7th Street or PCH to access the project site. It is anticipated that vehicles traveling along the University Park Estates streets would likely be residents of the neighborhood destined to the project site and that the potential for cut-through traffic would be less than significant.

While the TIA indicates that the likelihood of substantial cut-through traffic is unlikely and even speculative, the City of Long Beach is committed to protecting University Park Estates from cut-through traffic. Existing traffic counts have been taken in the neighborhood, so that if there is a perception that Home Depot-related traffic is using local streets, a comparison traffic count can be taken at a later date. If traffic levels within the neighborhood increase, the City Traffic Engineer will work with neighborhood residents to identify and implement possible traffic-calming measures.

COMMON RESPONSE 4: THREAT OF TERRORIST ATTACK

Several comments express concern that the proposed project may make the adjacent AES power plant more susceptible to a terrorist attack.

The existing security of the project site consists of a 10-foot-high chain-link fence. The proposed project would result in security improvements that involve a 10-foot-high wrought-iron fencing as recommended by the City of Long Beach Police Department and 24-hour surveillance and monitoring. For example, Mitigation Measure 4.10.3 of the Recirculated Draft EIR requires preparation of a Security Plan for review and approval of the Chief of Police and the Director of Planning and Building. The Security Plan would include locking doors for all employee locations, surveillance cameras, and security guards. In the existing condition, the project site is largely vacant and unattended. With implementation of the project, the site activities will be monitored electronically and with on-site personnel. Therefore, the City does not agree that the proposed project will make the AES more accessible and less safe.

The project site would be subject to regular hazardous materials inspections by the Certified Unified Program Agency (CUPA). Mitigation Measure 4.6.11 requires submittal of an Emergency Response and Evacuation Employee Training Program to the CUPA for review and approval. Drills and training documentation will be reviewed annually by the CUPA for compliance with this requirement.

In summary, the proposed project is a Home Depot shopping center that would be constructed in accordance with all applicable safety codes and subject to 24-hour monitoring. There is no evidence to suggest that implementation of the project would create or contribute to an undue increased risk of terrorist attack.